IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE K.C. BHANU

WRIT APPEAL NO : 1582 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 09/09/2004 in WP NO : 15978 OF 2004 on the file of the High Court.)

Between:

C.L.Raju S/o C.Ramulu
12-1-616/79/A, Asif Nagar Hyderabad.

..... APPELLANT

AND

1 The Transport Commissioner Andhra Pradesh , Hyderabad
2 The Regional Transport Authority, Mehidipatnam, Hyderabad.

..RESPONDENTS

Counsel for the Appellant:MR.S.S.PERVAIZ

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following:

Oral Order: (per Sri BRSR.J)

We find it very difficult to sustain the order passed by the learned single Judge dismissing the writ petition on the ground that no registration of auto rickshaw as prayed for by the petitioner herein is permissible in view of the Government's policy decision vide G.O.Ms.No.137 dated 6.8.2002. It is required to notice that the appellant herein had challenged the very policy decision of the Government where under directions have been issued not to register the auto rickshaws. The appellant herein prayed for issuance of a mandamus declaring the G.O.Ms.No.137 dated 6.8.2002 as illegal which is required to be gone into by this Court.

For the aforesaid reasons, the impugned order is set aside. The writ appeal is allowed. No costs.

(B.SUDERSHAN REDDY,J)

dated 14.10.2004

(K.C.BHANU,J)

msv.

To

1 The Transport Commissioner Andhra Pradesh , Hyderabad
2 The Regional Transport Authority, Mehidipatnam, Hyderabad.

3. 2 CCs to G.P for Transport, High Court of A.P. Hyd. (OUT)